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12 IYO, INC.

13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA

15 IYO, INC.,

16 Plaintiff,

17 v.

18 IO PRODUCTS, INC., OPENAI, INC.,  
19 OPENAI, LLC, SAM ALTMAN, and SIR  
20 JONATHAN PAUL IVE,

21 Defendants.

Case No. 3:25-cv-4861

**DECLARATION OF ANDREW D.  
SKALE IN SUPPORT OF PLAINTIFF  
IYO, INC.'S MOTION FOR ORDER TO  
SHOW CAUSE RE: CONTEMPT AND  
SANCTIONS**

Date: September 9, 2025  
Time: 2:00 p.m.  
Place: Courtroom 9  
Judge: Hon. Trina L. Thompson

Complaint Filed: June 9, 2025

1 I, Andrew D. Skale, do hereby declare as follows:

2 1. I am an attorney licensed to practice in the State of California. I am a member of  
3 the law firm of Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C., attorneys of record for  
4 Plaintiff IYO, Inc. ("IYO") I submit this declaration in support of IYO's Motion for Order to Show  
5 Cause re: Contempt and Sanctions ("Motion"), filed concurrently herewith. I am familiar with the  
6 events and pleadings in this action and, if called upon as a witness, could and would testify  
7 competently to the matters stated herein of my own personal knowledge.

8 2. Attached hereto as **Exhibit A** is a true and correct copy of Defendants' webpage at  
9 <https://openai.com/sam-and-jony/> that was printed on June 1, 2025. This was attached as Exhibit J  
10 to the Declaration of Jason Rugolo in Support of Plaintiff IYO, Inc.'s Motion for Temporary  
11 Restraining Order and Preliminary Injunction (ECF 6-16).

12 3. On June 20, 2025 this Court entered its Order granting Plaintiff's request for a  
13 temporary restraining order against Defendants (the "TRO"). (ECF 51.) On June 20, 2025 (pdt), I  
14 accessed Defendants' webpage and confirmed that the content shown in Exhibit A hereto had been  
15 pulled down and replaced with an error message. Then a few days later, that error was replaced  
16 with a statement that Defendants had removed its webpage as a result of the TRO. Attached hereto  
17 as **Exhibit B** is a true and correct copy of Defendant's webpage at [https://openai.com/sam-and-](https://openai.com/sam-and-jony/)  
18 [jony/](https://openai.com/sam-and-jony/) as that page existed on June 26, 2025, which was printed at my direction on July 10, 2025  
19 from the Internet Archive at [https://web.archive.org/web/](https://web.archive.org/web/20250626130556/https://openai.com/sam-and-jony/)  
20 [20250626130556/https://openai.com/sam-and-jony/](https://web.archive.org/web/20250626130556/https://openai.com/sam-and-jony/).

21 4. Attached hereto as **Exhibit C** is a true and correct copy of Defendant's webpage at  
22 <https://openai.com/sam-and-jony/> that was printed at my direction on July 10, 2025.

23 5. Attached hereto as **Exhibit D** is a true and correct copy of a redline comparing  
24 Defendant's webpage at <https://openai.com/sam-and-jony/> from June 1, 2025 to its webpage on  
25 July 10, 2025, that was created and printed at my direction on July 10, 2025.

1 I declare under penalty of perjury under the laws of the United States of America that the  
2 foregoing is true and correct.

3 Executed on July 11, 2025, in San Diego, California.

4 /s/ Andrew D. Skale

5 Andrew D. Skale

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